

PROB 12C
(12/04)

UNITED STATES DISTRICT COURT

FILED
Clerk
District Court

JUL 13 2007

for

District of Northern Mariana Islands

For The Northern Mariana Islands
By _____
(Deputy Clerk)

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Wang, Yang Case Number: CR 03-00002-001

Name of Sentencing Judicial: The Honorable Alex R. Munson

Date of Original Sentence: May 27, 2003

Original Offense: Two counts of Distribution and Possession with Intent to Distribute a Controlled Substance, in violation of 21 U.S.C. §§ 841 (a)(1) and (b)(1)(C)

Original Sentence: 57 months of imprisonment followed by three years of supervised release to include the following conditions: that the defendant be delivered to a duly authorized immigration official for deportation proceedings pursuant to 18 U.S.C. § 3583(d), if deportation fails to occur and the defendant is released from confinement, he shall immediately report to the U.S. Probation Office to begin his term of supervised release; obey all federal, state, and local laws; comply with the standard conditions of supervised release as set for by the U.S. Probation Office; not possess a firearm or other dangerous weapon; not use or possess illegal controlled substances; refrain from the use of any and all alcoholic beverages; submit to one urinalysis test within 15 days of release from custody and two more urinalyses thereafter; be assessed for substance or alcohol abuse, and if it is determined that he is in need of treatment, he shall participate in a substance abuse program approved by the U.S. Probation Office for the treatment of narcotic addiction or drug or alcohol dependency, which will include testing for the detection of substance abuse; make a payment for treatment at a rate to be determined by the U.S. Probation Office; obtain and maintain gainful employment; perform 400 hours of community service under the direction of the U.S. Probation Office; and pay a \$200 special assessment fee. **Amended on February 16, 2006** to 36 months imprisonment followed by three years of supervised release.

Type of Supervision: Supervised Release Date Supervision Commenced: February 22, 2006

Assistant U.S. Attorney: Att Eric O'Malley Defense Attorney: G. Anthony Long

PETITIONING THE COURT

- ☒ To issue a warrant.
☐ To issue a summons.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

1. The defendant shall not leave the judicial district without the permission of the court or probation officer, in violation of 18 U.S.C. § 3583(d).

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U.S. Probation Officer Recommendation:


- ☒ The term of supervision should be
- ☒ revoked.
- ☐ extended _____ years, for a total term of _____ years.
- ☐ The conditions of supervision should be modified as follows:

***Please see attached
Declaration in Support of Petition, Re: Request for a Warrant of Arrest
submitted by
U.S. Probation Officer Melinda N. Brunson.***

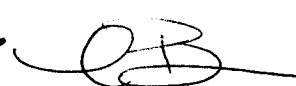
I declare under penalty of perjury
that the foregoing is true and
correct.

Reviewed by:

Reviewed by:


CARMEN D. O'MALLAN
U.S. Probation Officer Specialist
Supervision Unit Leader


ERIC O'MALLEY
Assistant U.S. Attorney


MELINDA N. BRUNSON
U.S. Probation Officer

Date: July 13, 2007

Date: 7/13/07

Executed on: July 13, 2007

THE COURT ORDERS:

- ☐ No action.
- ☐ The issuance of a warrant.
- ☒ The issuance of a summons.
- ☐ Other


HON. ALEX R. MUNSON
Chief Judge

District of the Northern Mariana Islands

7-13-07
Date

**UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF THE NORTHERN MARIANA ISLANDS**

UNITED STATES OF AMERICA,)	CRIMINAL CASE NO. 03-00002-001
)	
Plaintiff,)	
)	DECLARATION IN SUPPORT OF PETITION
vs.)	
)	
WANG, YANG,)	
)	
Defendant.)	
_____)	

Re: Request for a Warrant of Arrest

I, U.S. Probation Officer Melinda N. Brunson, am the U.S. Probation Officer assigned to supervise the Court-ordered conditions of supervised release for Mr. Wang Yang, and in that capacity declare as follows:

On May 27, 2003, Wang Yang was sentenced in the District Court of the Northern Mariana Islands on two counts of Distribution and Possession with Intent to Distribute a Controlled Substance, in violation of 21 U.S.C. §§ 841 (a)(1) and (b)(1)(C). He was sentenced to a term of imprisonment of 57 months with immediate deportation. Should deportation fail to occur, he was ordered to complete three years of supervised release. On February 16, 2006, Mr. Wang returned to the District of the Northern Mariana Islands for re-sentencing, at which time his sentence was reduced to 41 months of imprisonment, with all conditions previously imposed to remain in effect. Mr. Wang's term of supervised release commenced on February 22, 2006. He is alleged to have violated the following conditions:

Standard Condition: *The defendant shall not leave the judicial district without the permission of the court or probation officer, in violation of 18 U.S.C. § 3583(d).*

On July 11, 2007, this officer attempted to call Mr. Wang on his cellular phone to schedule an office visit, but there was no answer. The following day, July 12, 2007, this officer proceeded to Mr. Wang's apartment to leave a written note instructing him to report to the U.S. Probation Office. At Mr. Wang's apartment building, this officer interviewed a woman named Yuan Cheang

DECLARATION IN SUPPORT OF PETITION

Request for a Warrant of Arrest

Re: WANG, Yang

Criminal Case No. 03-00002-001

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Nu, who reported to be the building manager. Ms. Yuan stated Mr. Wang moved out of the building on July 9, 2007. She stated that Mr. Wang had returned his apartment key to her and left. She did not know where he moved to or if he was still on Saipan.

Later on July 12, 2007, CNMI Immigration Officer Kimberly Acebo informed this officer that departure records revealed that Mr. Wang left Saipan on July 10, 2007 for China on Asiana Airlines flight number 604.

Recommendation: This probation officer recommends that the Court issue a Warrant for Wang Yang's appearance at a hearing scheduled by the Court, and during that hearing, pursuant to 18 U.S.C. § 3583, he be held to answer or show cause why supervised release in this case should not be revoked, or for any reason or cause which the Court may deem just and proper.

Executed this 13th day of July 2007, at Garapan, Saipan, in conformance with the provisions of 28 U.S.C. § 1746.

I declare, under penalty of perjury, that the foregoing is true and correct, except those matters stated upon information and belief, and as to those matters, I believe them to be true.

Respectfully submitted,


ROSSANNA VILLAGOMEZ-AGUON
Acting Chief U.S. Probation Officer

By:



MELINDA N. BRUNSON
U.S. Probation Officer

Reviewed by:



CARMEN D. O'MALLAN
U.S. Probation Officer Specialist
Supervision Unit Leader

cc: Eric O'Malley, AUSA
G. Anthony Long, Defense Counsel
File